

United States District Court

WESTERN DISTRICT OF WASHINGTON

RODDY HORSLEY,

v.

JUDGMENT IN A CIVIL CASE

WASHINGTON STATE, *et al.*,

CASE NUMBER C09-5680 RJB/KLS:

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

(1) The Court adopts the Report and Recommendation;

(2) This action is **DISMISSED without prejudice** prior to service for failure to state a claim. **This dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g)**

April 16, 2010

Date

BRUCE RIFKIN

Clerk

s/ Mary Trent

Deputy Clerk